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EXPRESS MAIL NO. EL 755733398US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Corrina Herrnsstadt and Soumitra S. Ghosh  
Application No. : 09/978,600  
Filed : October 15, 2001  
For : DIAGNOSTIC AND THERAPEUTIC COMPOSITIONS FOR  
ALZHEIMER'S DISEASE

Art Unit : 1636  
Docket No. : 660088.401C9  
Date : June 5, 2002

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

DECLARATION

Sir:

I, Monica Steinborn, in accordance with 37 C.F.R. § 1.821(f) do hereby declare that, to the best of my knowledge, the content of the paper entitled "Sequence Listing", enclosed herewith, and the computer readable copy contained within the floppy disk filed in U.S. Patent Application Number 08/413,740, filed March 30, 1995, are the same.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 5<sup>th</sup> day of June, 2002.

Monica Steinborn  
Biotechnology Paralegal

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Seattle, WA 98104-7092  
(206) 622-4900  
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PTO/SB/01A (10-00).

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

<b>Title of Invention</b>	<b>DIAGNOSTIC AND THERAPEUTIC COMPOSITIONS FOR ALZHEIMER'S DISEASE</b>
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/978,600, filed on October 15, 2001,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor one: Corinna Herrnsstadt Citizen of: GermanySignature: Corinna Herrnsstadt Date: 5/20/02Inventor two: Soumitra S. Ghosh Citizen of: United StatesSignature: Soumitra S. Ghosh Date: 5/20/02

Inventor three: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor four: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/81 (10-00)

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**ELECTION AND POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/978,600
Filing Date	October 15, 2001
First Named Inventor	Corinna Herrnstadt
Group Art Unit	1636
Examiner Name	
Attorney Docket Number	660088.401C9

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC

OR

☐ Practitioner(s) named below:



00500

PATENT TRADEMARK OFFICE

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or  
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor

**SIGNATURE of Applicant or Assignee of Record**

Name	Thomas G. Sanders, Ph.D.
Signature	<i>Thomas G. Sanders</i>
Date	May 23, 2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231. D:\NrPortbl\Manage\KARENWILL\248896\_1.DOC

F:\Purchased Forms Archives\Working\PTOSB 81 Power of Attorney (10-00).doc [01-14-01]

# ASSIGNMENT

WHEREAS, we, Corinna Herrnsdt and Soumitra S. Ghosh (hereinafter referred to as ASSIGNORS), having mailing addresses of 3628 Ruelle DeVille, San Diego, California 92130, and 12334 Pathos Lane, San Diego, California 92129, respectively, are the joint inventors of an invention entitled "DIAGNOSTIC AND THERAPEUTIC COMPOSITIONS FOR ALZHEIMER'S DISEASE," as described and claimed in the specification for which an application for United States letters patent was filed on October 15, 2001, and assigned Application No. 09/978,600. This application is a continuation of co-pending U.S. Patent Application No. 09/448,312, filed November 23, 1999, now allowed; which is a continuation of U.S. Patent Application No. 08/413,740, filed March 30, 1995 and issued as U.S. Patent No. 6,171,859 on January 9, 2001; which is a continuation-in-part of U.S. Patent Application No. 08/219,842 filed March 30, 1994, and issued as U.S. Patent No. 5,565,323 on October 15, 1996.

WHEREAS, MITOKOR (hereinafter referred to as ASSIGNEE), a corporation of the State of California, having a place of business at 11494 Sorrento Valley Road, San Diego, California 92121, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

5/20/02 Corinna Herrstadt  
 Date Corinna Herrstadt  
 State of California )  
 County of San Diego ) SS.

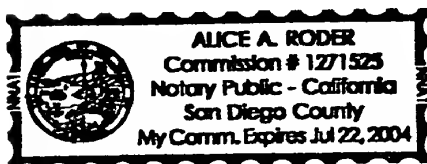
I certify that I know or have satisfactory evidence that Corinna Herrstadt is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated May 20, 2002  
 Signature of Alice A. Roder  
 Notary Public Alice A. Roder  
 Printed Name Alice A. Roder  
 My appointment expires July 22, 2004

5/20/02 Soumitra S. Ghosh  
 Date Soumitra S. Ghosh  
 State of California )  
 County of San Diego ) SS.

I certify that I know or have satisfactory evidence that Soumitra S. Ghosh is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated May 20, 2002  
 Signature of Alice A. Roder  
 Notary Public Alice A. Roder  
 Printed Name Alice A. Roder  
 My appointment expires July 22, 2004